Applicant : Stefan Kiefer, et al.   Attorney's Docket No.: 13914-016001 / 2003P00626
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REMARKS

Claims 13-15 and 21 are pending. Claim 13 is the sole independent claim of the group. It recites a computer-implemented method of managing bid pricing information, comprising receiving transaction information and item data from a buyer, generating a bid invitation containing entries relating to the transaction information and item data, and making the bid invitation available to a plurality of potential bidders. The method further includes receiving from one or more of the potential bidders bid invitations containing a complex pricing structure and corresponding complex pricing amounts, wherein the complex pricing structure is selected and supplied by each potential bidder, and selecting a winning bidder based on the complex pricing amounts. The pending application distinguishes such complex pricing structures, which can include multiple bid options and parameters, from other forms of pricing, by which bidders supply only one pricing structure; support is found throughout the specification and specifically at paragraph 27. Such a complex pricing structure permits each bidder to formulate a variety of pricing proposals so that their bid can vary, and thus include flexibility, in various non-pricing parameters and in pricing-related parameters.

Claims 13-15 and 21 stand rejected under 35 U.S.C. §102(e) as being anticipated by Davis et al. (2006/0149653). Davis, however, does not allow for any sort of complex pricing structures, as explicitly recited in claim 13. Rather, Davis simply shows the submission of one pricing proposal — precisely what was distinguished in the pending application, and by the pending claims that recite complex pricing. For example, using Applicants' methods, a buyer can post a bid request for a particular item (or group of items) and receive multiple bids from a single bidder, each bid having its own respective pricing structure. An advantage of this approach is that a buyer can select a winning bidder based on the complex pricing structure contained in multiple bids, where one bid may be the best match for the buyer's business. The Davis reference teaches submitting only one bid per bidder, which, in comparison to Applicants' approach, lacks flexibility and does not allow bidders to provide a full, rich proposal in response to a request for bids.

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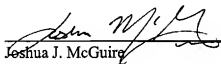Filed   : October 28, 2003
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It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: _July 5, 2007_

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